

REMARKS

The examiner provisionally rejected claims 1-14 under 35 U.S.C. 101 as claiming the same invention as claims in Applicant's co-pending applications. The examiner stated:

Claims 1-14 of this application conflict with claims 1-23 of Application No. 10/735,595, claims 1-25 of Application No. 10734,618, claims 1-21 of Application No. 10/734,616, and claims 1-20 of Application No. 10/734,617. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. Sec MPEP § 822 ...

Applicant contends that this rejection is improper, since under 35 U.S.C. 101 two applications must claim the same invention. No combination of any of the claims in any of the patents can be construed as claiming the same invention. However, with this rejection in mind Applicant will endeavor to maintain a clear line of demarcation among the different applications.

The examiner rejected claims 1-4, 7-10, and 13-14 under 35 U.S.C. 103(a) as being unpatentable over Abbasi (USPN 6,786,863) in view of Choy et al. (USPN 6,695,770; hereinafter Choy). The examiner stated:

Regarding claims 1 and 9, Abbasi discloses a virtual encounter system and method comprising, a mannequin having life-like features, the mannequin further comprising: a simulated human body part 55; a camera 35a-b coupled to the body for sending video signals to a communications network 30; and a microphone 40a-b coupled to the body for sending audio signals over the communications network; a display to render the video signals received from the camera and a transducer to transduce the audio signals received from the microphone (See Col. 2, lines 54-67). Abbasi discloses all of the claimed subject matter with the exception of explicitly disclosing the feature of providing a video display in the form of goggles. However, it is the examiner's position that providing a head mounted display is old and well known in a virtual reality environment. In addition, Choy teaches a virtual reality system comprising a headset for outputting video and sound data (See Choy. Fig. 1). In view of Choy, it would have been obvious to one of ordinary skill in the art to modify the display described in Abbasi, by providing a head mounted display/goggles in order to enhance the reality of a virtual environment.

Applicant's claim 1 is distinct over Abbasi taken separately or in combination with Choy. Claim 1, as amended, calls for a mannequin having life-like features, the mannequin including a

body, a camera coupled to the body the camera for sending video signals to a communications network. The examiner takes the position that "Abbasi discloses ... a mannequin having life-like features, the mannequin further comprising: a simulated human body part 55; a camera 35a-b coupled to the body for sending video signals to a communications network 30; and a microphone 40a-b coupled to the body for sending audio signals over the communications network.

Applicant disagrees. Nowhere does Abbasi disclose a mannequin having life-like features. Indeed, Abbasi describes features 50 and 55 as: "Further comprising the system are mechanical surrogates 50 and 55. The mechanical surrogates can comprise replicas of human anatomical components. The mechanical surrogates further comprise sensors and actuators needed to mimic natural human contact." Abbasi describes that the mechanical surrogates comprise components for instance, "sensory perceptions registered by the first computer 15 are reflected on the human lip surrogate attached to the second computer 25." Accordingly, is it not taught in Abbasi to provide a mannequin having life-like features. Rather, Abbasi appears to merely teach replicas of human components, not a mannequin with life-like features.

Abbasi also does not disclose that the mannequin comprises a body and a camera coupled to the body the camera for sending video signals to a communications network. Abbasi discloses that "Each computer interfaces to a plurality of external sensory devices including, but not limited to a video camera (35A and 35B), a microphone (40A and 40B), and a speaker (45A and 45B). These sensory devices can be used optionally, collectively or in any combination." But nowhere are they disclosed as part of the mannequin.

Claim 1 further requires a set of goggles including a display to render electrical signals representative of video received from the communications network and a transducer to transduce electrical signals representative of audio received from the communications network.

While Abbasi mentions: "Once the compressed video arrives at the second computing device, it is presented on a graphic display. This provides a visual perception of the contact episode embodied in the manipulation of the mechanical surrogates." Abbasi does not teach a set of goggles. Rather, Abbasi teaches a display attached to the computer as disclosed in FIG. 1.

The examiner contends that: "However, it is the examiner's position that providing a head mounted display is old and well known in a virtual reality environment. In addition, Choy teaches a virtual reality system comprising a headset for outputting video and sound data (See Choy, Fig. 1). In view of Choy, it would have been obvious to one of ordinary skill in the art to modify the display described in Abbasi, by providing a head mounted display/goggles in order to enhance the reality of a virtual environment." Applicant disagrees.

Abbasi teaches that the display is attached to the computer connected to the mechanical surrogate and 55. It would not be suggested to modify Abbasi to provide a set of goggles, since no utility would be derived by the user 20 in Abbasi of having a set of goggles attached to the computer connected to the mechanical surrogate 55.

Applicant's claim 2 is distinct over Abbasi taken together with common knowledge and Choy. Claim 2 requires that the mannequin in claim 1 is at a first location with the camera being a first camera and the microphone being a first microphone and the set of goggles being a first set of goggles. Claim 2 also requires a second mannequin in a second, different location, the second mannequin having a second microphone and a second camera and a second set of goggles to receive the video signals from the first camera and a second earphone to receive the audio signals from the first microphone. The examiner contends that:

Regarding claim 2, Abbasi discloses a system wherein the mannequin is at a first location and the display is at a second location, the system further comprising: a second mannequin in the second location, the second mannequin having a second microphone and a second camera; and a second display to receive the video signals from the first camera and a second earphone to receive the audio signals from the first microphone (See Col. 4, lines 37-47; Fig. 1).

Applicant contends that Abbasi does not disclose the claimed first or second mannequins and does not disclose the features of the mannequins as claimed. Moreover, it would not be suggested to modify Abbasi to provide a second set of goggles to receive the video signals from the first camera and a second earphone to receive the audio signals from the first microphone, as claimed since Abbasi teaches to attach the display and microphone to the computers that are connected to the mechanical surrogates 50 and 55.

Applicant's claim 7 further distinguishes by requiring that the set of goggles comprise a receiver to receive the video signals.

The examiner contends that: "Regarding claims 7 and 13, Abbasi discloses a system wherein the display comprises a receiver to receive the video signals (See Col. 2, lines 54-67)."

Abbasi fails to teach that the receiver is part of the set of goggles and instead teaches presenting the video on the graphical display, which is attached to the computer associated with the mechanical surrogates. Choy does not cure this deficiency in Abbasi.

Applicant's claim 8 further distinguishes by reciting that the mannequin comprises a transmitter to wirelessly send the audio signals and the video signals to the communications network. The examiner stated:

Regarding claims 8 and 14, Abbasi does not explicitly disclose the feature of providing a transmitter to wirelessly send the audio signals and the video signals to the communications network from the mannequin. However, Choy teaches a virtual reality system comprising a mannequin, wherein data is wirelessly transmitted from the mannequin to a communications network (See Col. 9, lines 5-15). Thus, in view of Choy, it would have been obvious to one of ordinary skill in the art to modify the transmission of data described in Abbasi, by providing a wireless transmission of data with the mannequin, in order to provide a more realistic untethered mannequin.

Applicant contends that there is no suggestion to combine the teachings of Abbasi with Choy as discussed above. Furthermore, any combination of Abbasi and Choy would not provide the claimed feature since according to the examiner it would be obvious provide a wireless transmission of data "in order to provide a more realistic untethered mannequin." However, Abbasi fails to teach the mannequin in the first instance and therefore there is no motivation to combine the references to provide "a more realistic untethered mannequin." Indeed, to un-tether the mechanical surrogate would not meet the claim language, since claim 8 requires that the mannequin include a body, a camera coupled to the body ... and a microphone coupled to the body. In Abbasi those features are not coupled to the body but are coupled to the display 25.

Claims 3-4 are allowable at least for the reasons that they depend from claim 1. Claim 9 is allowable for analogous reasons as in claim 1. Claims 10 and 13-14 are allowable for analogous reasons as in claims 2, 7 and 8.

Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbasi (USPN 6,786,863) in view of Choy et al. (USPN 6,695,770; hereinafter Choy), further in view of Gutierrez (USPN 5,111,290).

The combination of Abbasi and Choy discloses all of the claimed subject matter with the exception of explicitly disclosing the feature of (as per claims 5 and 11) positioning the camera in the eye socket of the body; (as per claims 6 and 12) positioning the microphone in an ear canal of the simulated body. However, Gutierrez teaches a virtual mannequin comprising a video camera concealed in the eye socket of the mannequin (Col. 1, lines 57-65). In view of Gutierrez, it would have been obvious to one of ordinary skill in the art to modify the placement of the mannequin camera and microphone described in the combination of Abbasi and Choy, by concealing them within the mannequin and thereby avoiding the unattractive appearance of the camera and microphone.

Claim 5 requires that the body includes an eye socket and the camera is positioned in the eye socket and claim 6 requires that the body includes an ear canal and the microphone is positioned within the ear canal.

The examiner acknowledges that combination of Abbasi and Choy does not "explicitly" disclose these features and relies on Gutierrez. Gutierrez teaches a surveillance system having a miniature television camera and a RF video transmitter mounted in a mannequin. Applicant contends that the motivation to combine Abbasi and Choy with Gutierrez is not sufficient, since Gutierrez is directed to a surveillance system, and placement of the camera in Gutierrez is for the purpose of concealment, not to avoid an unattractive appearance, whereas in claim 5 the placement is for the purpose of providing a life-like experience by having the camera and microphones correspond to the eye level and ear position of a person represented by the mannequin.

The prior art made of record and not relied upon is seen as neither describing nor suggesting the claimed invention.

Applicant has added new claims 15-20, which claim additional patentably distinct features of applicant's invention. For instance claim 15 calls for ... a mannequin having ... a human-like body supporting a camera for sending video signals over a communications network and a microphone for sending audio signals over the communications network. This is not shown by any combination of the cited references. Similarly, claim 15 also includes a set of

goggles housing a display device to render video signals received from the communications network and a transducer device to transduce electrical signals received from the communications network into audio, which as discussed above is not shown by any combination of the cited references.

Claims 16-20 add distinct features. For instance, claim 16 distinguishes by the combination of the first mannequin at a first location ..., and a second mannequin in a second, different location ... having a second microphone and a second camera to send electrical signals representative of audio and video data to the display device in the first set of goggles and the transducer device in the first set of goggles and a second set of goggles to receive the video signals from the first camera and a second transducer to receive the audio signals from the first microphone. This arrangement is not taught by the combination of references.

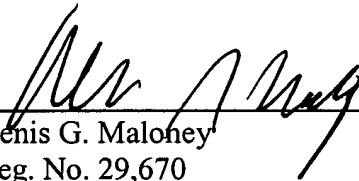
Claims 17-20 add additional distinct limitations.

No fee is believed due. If a fee is due please apply that fee and any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

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